

Remarks

Claims 1-37 and 39-43 are now pending in this application. Applicants have amended claims 1-37, 39, 40, 42, and 43 and cancelled claim 38 to clarify the claimed invention.

Applicants respectfully request favorable reconsideration of this application.

Applicants have amended the claims to address the objection to the claims and the rejections under 35 U.S.C. § 112, first and second paragraphs, and 35 U.S.C. § 101. The claims no longer recite the language objected to by the Examiner or any indefinite or unclear language. Additionally, the claims no longer recite means-plus-function elements. Additionally, claims 33-36 now depend from method claim 21 and further clarify the method recited in claim 21. Furthermore, claim 37 now recites a computer program product. In view of the above, all pending claims comply with 35 U.S.C. § 112, first and second paragraphs, and 35 U.S.C. § 101, and Applicants respectfully request withdrawal of the objection to the claims and rejections under 35 U.S.C. § 112, first and second paragraphs, and 35 U.S.C. § 101.

The Examiner rejected claims 1-4, 6-9, 11-14, 16, 21-24, 31, 34, 35, 39, and 41 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent 6,232,735 to Baba et al. The Examiner rejected claims 5, 17-20, 26, 32, 33, and 36 under 35 U.S.C. § 103(a) as being unpatentable over Baba et al. The Examiner rejected claims 10, 25, 27-29, and 40 under 35 U.S.C. § 103(a) as being unpatentable over Baba et al. in view of U.S. patent 7,127,325 to Nagata et al. The Examiner rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Baba et al. in view of U.S. patent 5,672,044 to Lemelson. The Examiner rejected claim 30 under 35 U.S.C. §

103(a) as being unpatentable over Baba et al. in view of U.S. patent publication 2003/0080874 to Yumoto et al. The Examiner rejected claims 42 and 43 under 35 U.S.C. § 103(a) as being unpatentable over Baba et al. in view of U.S. patent publication 2004/00034448 to Siegers.

Baba et al. does not disclose the claimed invention since, among other things, Baba et al. does not disclose a wireless controller for at least one of controlling or monitoring a tool operatively connected to an industrial robot, including a wireless communication module physically separate from the industrial robot and including a processor having a communication function module configured to handle wireless communication to and from the tool, and a control configured to carry out at least one control function for one or more actuators of the tool and a controller operatively connected to the tool and configured to receive signals from the wireless communication module and to control operation of the tool. Rather, as can be seen in Figs. 1-3, Baba et al. clearly discloses a robot mechanism portion 4A that is not wirelessly connected to the robot controller. A wired connection suffers from the shortcomings discussed in the background of the invention on pages 1-2 of the present application.

In view of the above, Baba et al. does not disclose all elements of the invention recited in claims 1-4, 6-9, 11-14, 16, 21-24, 31, 34, 35, 39, and 41. Since Baba et al. does not disclose all elements of the invention recited in claims 1-4, 6-9, 11-14, 16, 21-24, 31, 34, 35, 39, and 41, the invention recited in claims 1-4, 6-9, 11-14, 16, 21-24, 31, 34, 35, 39, and 41 is not properly rejected under 35 U.S.C. § 102(b). For an anticipation rejection under 35 U.S.C. § 102(b) no difference may exist between the claimed invention and the reference disclosure. *See Scripps Clinic and Research Foundation v. Genentech, Inc.*, 18 U.S.P.Q. 841 (C.A.F.C. 1984).

Along these lines, anticipation requires the disclosure, in a cited reference, of each and every recitation, as set forth in the claims. *See Hodosh v. Block Drug Co.*, 229 U.S.P.Q. 182 (Fed. Cir. 1986); *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985); *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986); and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 U.S.P.Q.2d 1081 (Fed. Cir. 1986).

Baba et al. does not suggest the invention recited in claims 5, 17-20, 26, 32, 33, and 36 since, among other things, as discussed above, Baba et al. does not suggest a wireless controller for at least one of controlling or monitoring a tool operatively connected to an industrial robot, including a wireless communication module physically separate from the industrial robot and including a processor having a communication function module configured to handle wireless communication to and from the tool, and a control configured to carry out at least one control function for one or more actuators of the tool and a controller operatively connected to the tool and configured to receive signals from the wireless communication module and to control operation of the tool. Rather, as can be seen in Figs. 1-3, Baba et al. clearly suggests a robot mechanism portion 4A that is not wirelessly connected to the robot controller. Accordingly, Baba et al. does not suggest the invention recited in claims 5, 17-20, 26, 32, 33, and 36 and Applicants respectfully request withdrawal of this rejection.

The combination of Baba et al. and Nagata et al. does not suggest the invention recited in claims 10, 25, 27-29, and 40 since, among other things, Nagata et al. does not overcome the above described deficiencies of Baba et al. Along these lines, Nagata et al. does not suggest a

wireless controller for at least one of controlling or monitoring a tool operatively connected to an industrial robot, including a wireless communication module physically separate from the industrial robot and including a processor having a communication function module configured to handle wireless communication to and from the tool, and a control configured to carry out at least one control function for one or more actuators of the tool and a controller operatively connected to the tool and configured to receive signals from the wireless communication module and to control operation of the tool. The Examiner cited Nagata et al. as suggesting certain aspects of web protocols and communication. Such aspects of web protocols and communication do not suggest the aspects of the invention not suggested by Baba et al. Accordingly, the combination of Baba et al. and Nagata et al. does not suggest the invention recited in claims 10, 25, 27-29, and 40 and Applicants respectfully request withdrawal of this rejection.

The combination of Baba et al. and Lemelson does not suggest the invention recited in claim 15 since, among other things, Lemelson does not overcome the above described deficiencies of Baba et al. Along these lines, Lemelson does not suggest a wireless controller for at least one of controlling or monitoring a tool operatively connected to an industrial robot, including a wireless communication module physically separate from the industrial robot and including a processor having a communication function module configured to handle wireless communication to and from the tool, and a control configured to carry out at least one control function for one or more actuators of the tool and a controller operatively connected to the tool and configured to receive signals from the wireless communication module and to control operation of the tool. The Examiner cited Lemelson as suggesting high level languages, which

do not suggest the aspects of the invention not suggested by Baba et al. Accordingly, the combination of Baba et al. and Lemelson does not suggest the invention recited in claim 15 and Applicants respectfully request withdrawal of this rejection.

The combination of Baba et al. and Yumoto et al. does not suggest the invention recited in claim 30 since, among other things, Yumoto et al. does not overcome the above described deficiencies of Baba et al. Along these lines, Yumoto et al. does not suggest a wireless controller for at least one of controlling or monitoring a tool operatively connected to an industrial robot, including a wireless communication module physically separate from the industrial robot and including a processor having a communication function module configured to handle wireless communication to and from the tool, and a control configured to carry out at least one control function for one or more actuators of the tool and a controller operatively connected to the tool and configured to receive signals from the wireless communication module and to control operation of the tool. The Examiner cited Yumoto et al. as suggesting Java applets, which do not suggest the aspects of the invention not suggested by Baba et al. Accordingly, the combination of Baba et al. and Yumoto et al. does not suggest the invention recited in claim 30 and Applicants respectfully request withdrawal of this rejection.

The combination of Baba et al. and Siegers does not suggest the invention cited in claims 42 and 43 since, among other things, Siegers does not overcome the above described deficiencies of Baba et al. Along these lines, Siegers does not suggest a wireless controller for at least one of controlling or monitoring a tool operatively connected to an industrial robot, including a wireless communication module physically separate from the industrial robot and including a processor

having a communication function module configured to handle wireless communication to and from the tool, and a control configured to carry out at least one control function for one or more actuators of the tool and a controller operatively connected to the tool and configured to receive signals from the wireless communication module and to control operation of the tool. The Examiner cited Siegers as suggesting certain input elements, which do not suggest the aspects of the invention not suggested by Baba et al. Accordingly, the combination of Baba et al. and Siegers does not suggest the invention recited in claims 42 and 43 and Applicants respectfully request withdrawal of this rejection.

In view of the above, the references relied upon in the office action do not disclose or suggest patentable features of the claimed invention. Therefore, the references relied upon in the office action do not anticipate the claimed invention or make the claimed invention obvious. Accordingly, Applicants respectfully request withdrawal of the rejections based upon the cited references.

In conclusion, Applicants respectfully request favorable reconsideration of this case and early issuance of the Notice of Allowance.

If an interview would advance the prosecution of this case, Applicants urge the Examiner to contact the undersigned at the telephone number listed below.

The undersigned authorizes the Commissioner to charge fee insufficiency and credit

overpayment associated with this communication to Deposit Account No. 22-0261.

Respectfully submitted,

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